



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
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C.L. "BUTCH" OTTER

Governor

October 5, 2015

GARY SPACKMAN

Director

JOHN PANKRATZ
EAST SIDE HIGHWAY DISTRICT
6095 E MULLAN TRAIL RD
COEUR D ALENE ID 83814

SUBJECT: Notice of Error Reply on Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 94-7551

Dear Mr. Pankratz:

The Idaho Department of Water Resources has reviewed the Notice of Error Reply for the above referenced water right claim. We are unable to make the requested change to the water right claim recommendation for the following reason:

The Notice of Claim to a Water Right dated February 18, 2010, was filed on the basis of beneficial use for domestic usage at one Highway District shop, with the nature of use described as being for basic shop facilities. The definition of domestic use for purposes of both the adjudication statute and the exception to the ground water appropriation permit requirement is set forth in Section 42-111, Idaho Code, which provides:

(1)(a) The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to ½ acre of land, if the total use is not in excess of 13,000 gallons per day, Or

(1)(b) Any other uses, if the total use does not exceed a diversion rate of 0.04 cubic feet per second and a diversion volume of 2500 gallons per day.

Since your usage does not fit into category 42-111 1(a), we look to 42-111 1(b). However, your water usage, as stated on the Notice of Error reply, is for filling of a water truck of over 2500 gallons per day. This falls outside of that category and, consequently, we are unable to change our recommendation.

I have enclosed an Application for Permit, with instructions, which may be used to appropriate water for the remainder of your water usage. Also enclosed is "A Water Users Information Guide" which further explains the appropriation process.

If you have any questions, please contact our staff at the Northern Regional Office during business hours at (208) 762-2800.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosure: Application for Permit w/Instructions
 A Water Users Information Guide